UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Felix Oviedo MANCILLA,** Defendant(s)	Magistrate Case No. '08 MJ 2004 COMPLAINT FOR VIOLATION OF: Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii) Transportation of Illegal Aliens

The undersigned complainant, being duly sworn, states:

On or about **June 29, 2008,** within the Southern District of California, defendant **Felix Oviedo MANCILLA,** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely **Carina ARREDONDO-Zarate,** had come to, entered and remained in the United States in violation of law, did transport and move, said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 1st DAY OF **July 2008.**

Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Felix Oviedo MANCILLA

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PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Carina ARREDONDO-Zarate** is a citizen of a country other than the United States; that said alien has admitted that she is deportable; that her testimony is material, that it is impracticable to secure her attendance at the trial by subpoena; and she is a material witnesses in relation to this criminal charge, and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On June 29, 2008, Border Patrol Agent L. Rios was assigned line watch duties in the Border Field State Park area of the Imperial Beach Border Patrol Station area of responsibility. This area is approximately five miles west of the San Ysidro Port of Entry and is adjacent to the United States/Mexico International Boundary Fence.

Several of the park's characteristics make it an ideal setting for alien smuggling, especially for those alien smuggling organizations utilizing horses. When it is open on weekends, the park is often crowded, allowing undocumented aliens to enter illegally, and immediately blend in with the crowds already present. There are several horse trails leading in and out of the park area, some of which come within inches of the United States/Mexico International Boundary Fence. It is not uncommon for alien smugglers on horseback to arrive at the park alone, and to depart with one or more additional riders on the same horse.

At approximately 1:45 P.M., Agent Rios observed an individual later identified as the defendant **Felix Oviedo MANCILLA**, approach Border Field State Park alone, on horseback. Agent Rios watched the defendant from the moment he entered the park until he departed the park area. Agent Rios observed the defendant approach a female in the park and assist her onto his horse. Agent Rios observed the two individuals make a couple of laps around the park area on horseback, and depart the park.

Agent M. Taylor was working a position known as "West High Point, " when he observed the defendant and **Carina ARREDONDO-Zarate** riding together on horseback. Agent Taylor observed the two leave the park area and travel north along the "Two Road." This area is approximately five miles west of the San Ysidro Port of Entry and 200 yards north from the International Border. Agent Taylor observed ARREDONDO and the defendant approach the north end of "Two Road" and disappear behind some brush for approximately thirty seconds. When Agent Taylor saw the defendant again, he was by himself. Agent Taylor then notified Agent A. Hilliard via agency radio, the position where he last observed the defendant and ARREDONDO together.

Upon arrival in the area, Agent Hilliard observed the defendant traveling in an easterly direction attempting to exit the park. Agent Hilliard searched the area of brush where Agent Taylor had last seen both of the individuals on the horse. Agent Hilliard discovered ARREDONDO attempting to conceal herself in the brush. Her clothing description matched that given earlier by Agent Taylor. Agent Hilliard questioned ARREDONDO as to her citizenship and immigration status. ARREDONDO freely admitted that she is a citizen and national of Mexico, illegally present in the United States with no immigration documents allowing her to be or remain in the U.S. legally. ARREDONDO was transported to the Imperial Beach Border Patrol Station for processing.

Border Patrol Agent V. Arguello arrived and approached the defendant to question him as to his citizenship and question him regarding ARREDONDO's illegal entry. The defendant first denied that he had not had a woman on his horse.

CONTINUATION OF COMPLAINT:
Felix Oviedo MANCILLA

When Agent Hilliard arrived with ARRENDONDO where the defendant was being questioned, the defendant changed his story and admitted that he was giving her a ride. He stated that when he discovered that she was illegally present in the United States, he told her that he did not want to break the law and had her get off of his horse. At that time the defendant was allowed to leave, and Supervisory Border Patrol Agent Roberto Del Villar was contacted and informed of the event. SBPA Del Villar requested that he be contacted if the defendant was seen in the area again.

At approximately 4:00 p.m., the defendant entered the park on horseback again. SBPA Del Villar responded to the scene. At approximately 4:30 p.m. the defendant was placed under arrest for alien smuggling and transported to the Imperial Beach Border Patrol Station for processing.

DEFENDANT STATEMENT: Felix Oviedo MANCILLA

The defendant was advised of his Miranda Rights in the Spanish language by Agent Lopez, as witnessed by Agent Nava. The defendant stated that he understood his rights and was willing to answer any questions without the presence of an attorney.

The defendant stated he has been riding a horse in the same area for approximately seven months. The defendant stated that a friend offered to pay him if he transported a female, who was illegally in the United States, from Border Field State Park to "Temo's Ranch." The defendant did not know how much he was going to earn for illegally transporting the female. The defendant stated that when he arrived at the beach near "Border Field State Park" he met with his friend, who was on the south side of the border fence in Tijuana, Mexico. The defendant stated that he made arrangements with his friend via telephone. The defendant was contacted by his friend several times through out the morning.

When the defendant located the girl, Carina ARREDONDO-Zarate, he took her around the beach on horse back. After a short while the defendant continued northbound on horse back with ARREDONDO. The defendant stated that when they saw the Border Patrol approaching, he got nervous and told ARREDONDO to get off the horse so that they could avoid getting arrested by the Border Patrol.

MATERIAL WITNESS STATEMENT:

ARREDONDO stated that she is a Mexican citizen and national and that she did not have any documentation that would allow her to enter or remain in the United States legally. ARREDONDO stated that her destination was Riverside, California, where she intended to live with her brother-in-law. ARREDONDO stated that she made arrangements to be smuggled into the United States she agreed to pay $2,000.00 USD. She stated that she was given instructions to climb the United States/Mexico International Boundary Fence and walk to the upper part of Border Field State Park. Once there, she was to wait for a man to arrive on horseback. That man would pick her up bring her to the ranch where she would eventually be picked up by vehicle. ARREDONDO identified the defendant **Felix Oviedo MANCILLA**, through a photographic lineup, as the man who picked her up on horseback.